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10 **UNITED STATES DISTRICT COURT**  
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 **(HON. JANIS L. SAMMARTINO)**

13 UNITED STATES OF AMERICA, ) No. 08-1122-JLS  
14 Plaintiff, )  
15 vs. ) DECLARATION OF MICHAEL S. BERG  
16 HARRY RODRIGUEZ, )  
17 Defendant. )

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19 I, MICHAEL S. BERG, HEREBY DECLARE AS FOLLOWS:

20 1. I am an attorney in good-standing, licensed to practice law in the State of California and the Federal  
21 Court for the Southern District of California. I am the attorney of record in the above-referenced matter.  
22 2. I have discussed this matter with the Assistant U.S. Attorney, Alessandra Serano, and we are in  
23 joint agreement for a continuance of the sentencing in this case.  
24 3. There are a number of items that are still on-going in this case which would make it impractical to  
25 proceed with sentencing at this time.

26 I declare under penalty of perjury that the above matters are true and correct.

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Dated: 07/14/08

/s/ Michael Berg

MICHAEL S. BERG  
Attorney for Rodriguez